

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

RICARDO CAPELLO, *et al*,  
Plaintiffs,

v.

MARK SELING, *et al*,  
Defendants.

Case No. C02-5242 RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff Ricardo Capello's Motion for Reconsideration [Dkt. #486].


Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Plaintiff seeks reconsideration of this Court's Order [Dkt. #477] which adopted the Magistrate Judge's Report and Recommendation and dismissed plaintiff Ricardo Capello's complaint. The plaintiff merely restates the arguments he made in his Objections to the Report and Recommendation [Dkt. #472] and has failed to show "manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to [the Court's] attention earlier with reasonable diligence." CR 7(h)(1), Local Rules W.D. Wash. It is therefore

**ORDERED** that Plaintiff Ricardo Capello's Motion for Reconsideration [Dkt. #486] is **DENIED**.

The Clerk shall send uncertified copies of this order to all counsel of record, and to any party appearing pro se.

Dated this 31<sup>st</sup> day of January, 2006.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE